

WPA 25613 of 2024

Rahul Shaw

Vs.

The State of West Bengal & Ors.

Mr. Sankar Nath Mukherjee,

Sk. Samim Akhter,

Ms. Manisha Paswan.

... for the petitioner

Mr. N.I. Khan,

Mr. Amlan Kumar Mukherjee.

... for the private respondent

Mr. Pantu Deb Roy, ld. A.G.P.,

Mr. Subrata Guha Biswas.

... for the State

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioner is aggrieved that the District Magistrate, Purba Burdwan, being the Chairman of the Board of Regional Transport Authority, Purba Burdwan has passed his order dated 13th September, 2024, in violation of this Court's direction in WPA no. 18956 of 2022, vide order dated 24th June, 2024.
3. Mr. Sankar Nath Mukherjee, learned counsel appearing for the petitioner has pointed out that instead of the Board, whose resolution dated 17th January, 2018, has been set aside by the Court, in the said writ petition being WPA no. 18956 of 2022 and directions were made upon the concerned respondent authority, to reconsider the case, the matter has again been considered by the Chairman, RTA.

4. That the reconsideration exercise has been done by the District Magistrate cum Chairman of the Board of Regional Transport Authority, Purba Burdwan alone. Mr. Mukherjee says, that the decision vide order impugned is thus in violation of this Court's earlier order.
5. For this, he has taken this Court through the impugned order wherefrom it is evident that the consideration of the issues involved in this case, have been made by the District Magistrate, Purba Burdwan himself, being the Chairman, RTA, Purba Burdwan.
6. Mr. N.I. Khan, learned counsel is appearing for the private respondent in this case.
7. Mr. Pantu Deb Roy, learned Additional Government Pleader is representing the State.
8. The Court notices that earlier on 17th January, 2018, the Board had taken a decision for curtailment and extension of the route of the present petitioner.
9. In the writ petition as mentioned above, the said decision of the Board was directed to be reconsidered, after setting aside its earlier resolution.
10. The Court finds it to be proper and in accordance with this Court's earlier order as mentioned above, that the disputed issues be reconsidered by the Board itself, which has passed the earlier decision vide resolution dated 17th January, 2018.
11. In such view of the fact, the impugned order dated 13th September, 2024, is set aside.
12. Let the matter be considered afresh by the Board, Regional Transport Authority, Purba Burdwan within

a period of six (6) weeks from the date of communication of copy of this order. Its decision be informed to the petitioner and the private respondent, within a period of one week, from the date of its order.

- 13.** Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.
- 14.** This writ petition being WPA No. 25613 of 2024 is disposed of, along with the pending applications, if any.
- 15.** Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)